

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TIMOTHY PRINCE,

Plaintiff,

v.

Case No. 5:23-cv-10405

District Judge Judith E. Levy

Magistrate Judge Anthony P. Patti

KIM FARRIS, TAYLOR  
DROSTE, CHRISTOPHER  
SHEFFIELD, EDWARD  
SIMMET, IVAN HERNANDEZ,  
TRENT BROWN, DEWAYNE  
PERRY, BRANDON  
FRANGEDAKIS, LAWRENCE  
MCKINNEY, CAMERON TATE,  
BRADLEY MICHALOWICZ,  
and JOHN DOES 1-2,

Defendants.

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**ORDER GRANTING PLAINTIFF’S MOTION TO RESTRICT DATES ON  
SUBPOENA (ECF No. 77) AS UNOPPOSED**

Plaintiff initiated this lawsuit in February 2023 against several identified and unidentified Defendants. Defendant Kim Farris, P.A. – who appears to be an employee of Wellpath, or at least she was so at the time of the events in question – appeared via counsel on November 15, 2023. (ECF No. 58; *see also* ECF No. 64, PageID.339, 342.) As best the Court can tell, Farris, via counsel, appears to have asked Plaintiff to execute an *MDOC Patient’s Authorization for Disclosure of Health Information*, beginning January 10, 2022 to present for Plaintiff’s

“Complete Health Record.” (ECF No. 77, PageID.448.) Although Plaintiff signed the form on April 2, 2024, he particularly consented to:

. . . all medical records dating from the date of my surgery [*i.e.*, July 16, 2022][.] I do not consent to mental health records[.] That is invading my privacy. I consent to all medical records, dis[c]iplinary records[.] segregation logs[.] unit logs . . . showing callouts and other activities, housing logs and lock history[.] and sick call log medical and nursing. I only consent to these records from July 16, 2022 [*i.e.*, not as far back as January 1, 2022].

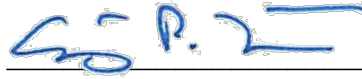
(ECF No. 77, PageID.448.)

Currently before the Court is Plaintiff’s April 9, 2024 “motion to restrict dates on subpoena to [his] date of su[r]gery.” (ECF No. 77.) Ordinarily, a response would have been due on or about April 23, 2024. E.D. Mich. LR 7.1(e)(1). To date, no Defendant has filed a response. Thus, Plaintiff’s motion currently is unopposed. E.D. Mich. LR 7.1(c)(1) (“A respondent opposing a motion must file a response, including a brief and supporting documents then available.”).

Accordingly, Plaintiff’s “motion to restrict dates on subpoena to [his] date of su[r]gery” (ECF No. 27) is **GRANTED AS UNOPPOSED**, and, as requested, Defendants are to be given Plaintiff’s “records starting from the day of Plaintiff’s surgery up until now” (ECF No. 77, PageID.444), *i.e.*, **July 16, 2022 to present**.

**IT IS SO ORDERED.<sup>1</sup>**

Dated: May 17, 2024



Anthony P. Patti  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The attention of the parties is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days after being served with a copy of this order within which to file objections for consideration by the district judge under 28 U.S.C. § 636(b)(1).